

AT A PUBLIC HEARING AND REGULAR MEETING OF THE HAMPTON PLANNING COMMISSION HELD IN THE COUNCIL CHAMBERS, 8TH FLOOR, CITY HALL, HAMPTON, VIRGINIA, ON JANUARY 13, 2003 AT 3:30 P.M.

PRESENT: Chairman Ralph A. Heath, Vice-Chairman Harold O. Johns, and Commissioners Timothy B. Smith, Perry T. Pilgrim, Katherine K. Glass, Randy Gilliland, and George E. Wallace

ABSENT: None

ROLL CALL

A call of the roll noted all members present.

ITEM I. MINUTES

There being no additions or corrections, a motion was made by Commissioner Randy Gilliland, and seconded by Commissioner Harold O. Johns, to approve the minutes of the December 9, 2002 Planning Commission meeting. A roll call vote on the motion resulted as follows:

AYES:	Smith, Johns, Pilgrim, Wallace, Gilliland, Heath
NAYS:	None
ABST:	Glass
ABSENT:	None

ITEM II. YOUTH PLANNER REPORT

Ms. Rashida Costley, Youth Planner, stated the results from the Youth Friendly Guidebook survey have been submitted from six businesses which are: Dairy Queen, Express, Chic Fila, Spencers, Walmart, and Regal Cinema (YRC). The Youth Planners and Youth Commission are in the process of creating a rating scale to determine how each category should be rated. She stated they are moving along in developing a security plan for the community center. The security plan is for the teen center that is being proposed for the City of Hampton. A meeting will be conducted with parents from around the city to gain their support for the plan. On Tuesday, January 14th, she will begin soliciting feedback for the plan from Bethel High School band. A work session will be held today for the Youth Commission at 5:00 p.m. to discuss activities on creating a youth plan. She stated they would also review what has been prepared by Major Cutler, Police Department, Ms. Cynthia Yuille, Parks and Recreation, and herself, from a meeting that was conducted last year. Ms. Costley invited the Planning Commission to attend a meeting in the City Council Chambers on Monday, February 24th at 7:00 p.m., to discuss the teen center projects that have been conducted this year.

In response to a question by Commissioner Glass, Ms. Costley stated the parent groups would come from the Parent Teacher Association (PTA) which is middle school

and the Parent Teacher Student Association (PTSA) which is high school, as well as the Booster Clubs.

Mr. O'Neill stated the Youth Planners and Youth Commission are also open to going out, if time permits, to have discussions with other groups. They are particularly interested in parents' reactions to the on-going planning efforts around the teen center. He recalled to the Commission the presentation made to City Council last year regarding planning of the teen center. One of the main requests from Council was to develop a detailed security plan because it was a primary concern and to have parents involved because they will be the ones to support the center. Once the plan is developed, they would go out to parents and present them with the plan to receive their feedback and reaction before the plan is finalized. He stated if there are any parent groups, particularly parents of children, who may want to be involved in the discussion, to let Ms. Costley know.

Mr. O'Neill suggested that the Commission attend the meeting on February 24th to view the video that has been put together on a computer simulation of phases of what the teen center would look like.

ITEM III. HAMPTON COMMUNITY PLAN

Plan Status

Mr. Keith Cannady, Chief Planner, presented to the Commission an update on Hampton's Community Plan process. He stated staff has completed a series of workshops with city staff to receive their input on the community plan process. The six workshops include: Housing, Neighborhood and Land use; Economic Development and Land Use; Urban Design and Historic Preservation; Community Facilities; Environment; and Transportation. This was a great way for staff to hear from city staff who work in these areas on what the critical issues are from their perspective within the city, and also to identify data needs as we get into the planning process. The meetings were completed last week. He stated in two weeks, staff will be preparing for the community participation portion of the project with a kick-off to be held at Hampton High School with the focus groups. They will be working diligently over the next three months on identifying goals and objectives around the critical issues identified in the 1998 Strategic Plan. Endorsements will be made in May 2003, and afterwards, they will begin the plan development phase of the community plan project.

PUBLIC HEARING

ITEM IV. OLDE HAMPTON HOUSING REVITALIZATION PLAN

Chairman Heath read the public hearing notice on the next agenda item as advertised in the Daily Press on December 30, 2002 and January 6, 2003.

Olde Hampton Housing Revitalization Plan: Consideration of a housing revitalization plan for Olde Hampton, an area bounded generally by Pembroke Avenue to the north, Armistead Avenue and King Street to the east, LaSalle Avenue to the west, and Settlers Landing Road to the south. The boundaries for the plan also include the Harbor Square Apartments. The Olde Hampton Housing Revitalization Plan includes strategies for safety, housing rehabilitation, new housing construction and homeownership, increased code enforcement, landlord/property management training, and downtown improvements.

Mr. Charles Felder, Neighborhood Development Specialist, and Ms. Sadie Brown, President of Olde Hampton Neighborhood Association, gave a presentation on the Old Hampton Revitalization Plan that is a policy document which sets the direction for housing revitalization strategies for the neighborhood. Development plans include: improvements to Grant Park (expansion and/or redesign); design and funding of current streets to include traffic calming measures and reduce opportunities for crime; development of a One-Stop for housing rehabilitation and homeownership; approval of revisions to the existing tax abatement program; construction of new houses on lots owned by the city; development of a rent-to-own incentive program for rental properties; working with Downtown Hampton Development Partnership on downtown improvements, and other local businesses to improve building exteriors, a copy of which is attached hereto, and made a part hereof. Mr. Felder asked that the Planning Commission recommend to City Council approval of the Old Hampton Revitalization Plan. Ms. Brown thanked the Commission for listening to their presentation and for their endorsement.

Commissioner Gilliland stated as an alumnus of the Greater Wythe, Olde Wythe Planning Team, and other planning teams of neighborhoods, he thanked Ms. Brown and others for working on this project and the time and effort put forth in their presentation. He stated it is a tremendous service for the community, and he also thanked Mr. Felder and city staff for their efforts.

In response to a question by Commissioner Smith, Mr. O'Neill stated to build on a vacant thirty-foot lot that has been grandfathered depends on the configuration of the lots. If they are single individual lots, then construction is allowed as grandfathered lots. There is an ordinance that has been in place for the past twelve to fourteen years which state that if any non-conforming lots are under single ownership side-by-side, then they would have to be combined to create or come within 80% of what is considered a conforming lot.

In response to a question by Commissioner Smith regarding demolishing homes, Mr. Felder stated it depends on the condition of the homes. Some homes as they stand now may need to be demolished and some could be rehabilitated, but a determination of these type homes has not been made.

After discussion, the Commission approved the following resolution:

WHEREAS: The Hampton Planning Commission has before it this day a request to approve the Olde Hampton Neighborhood Housing Revitalization Plan; and

WHEREAS: The Hampton Neighborhood Commission and the Hampton City Council approved the Olde Hampton neighborhood as a pilot area under the new Hampton Housing Venture; and

WHEREAS: The Hampton Housing Venture geographically concentrates new and expanded housing incentives with the goal of significantly increasing housing reinvestment in a few selected neighborhoods; and

WHEREAS: The purpose of the Olde Hampton Neighborhood Housing Revitalization Plan is to present strategies to revitalize the housing stock in the Olde Hampton neighborhood; and

WHEREAS: The Olde Hampton Neighborhood Housing Revitalization Plan includes strategies for safety, improvement of properties that add value to the neighborhood, acquisition of properties that detract from the value of the neighborhood and new home construction and home ownership; and

WHEREAS: On a motion by Commissioner Randy Gilliland and seconded by Commissioner Harold O. Johns,

BE IT THEREFORE RESOLVED THAT the Hampton Planning Commission recommends to the honorable City Council approval of the Olde Hampton Neighborhood Housing Revitalization Plan.

A roll call vote on the motion resulted as follows:

AYES:	Smith, Johns, Pilgrim, Glass, Wallace, Gilliland, Heath
NAYS:	None
ABST:	None
ABSENT:	None

ITEM V. PASTURE POINT HOUSING REVITALIZATION PLAN

Chairman Heath read the description of the next agenda item.

Pasture Point Housing Revitalization Plan: Consideration of a housing revitalization plan for Pasture Point, an area northeast of downtown Hampton and bounded generally by the Hampton River to the east, Brights Creek to the north, Wine and Eaton Streets on the west and a line extending east from the terminus of Lincoln street to the Hampton River, on the south. The plan includes strategies for homeownership and housing rehabilitation, historic and preservation district designations, neighborhood and waterfront beautification, redevelopment of uses

that do not conform to the proposed plan, increased code enforcement, downtown improvements and marketing the neighborhood.

Mr. Charles Felder, Neighborhood Development Specialist, Ms. Anita Thomas, Ms. Yvonne Gregory, and Mr. Bob Proctor, members of the Pasture Point Planning Committee, presented the Pasture Point Housing Revitalization Plan. This plan is a policy document that sets the direction for housing revitalization strategies for the neighborhood. The developments include: regulations and funding for two new housing programs; approval of revisions to the existing tax abatement and deferred loan program for the elderly; approval of a historic district; approval of a preservation district designation; appointment of a review board and approval of neighborhood preservation standards; design and funding of a neighborhood/waterfront beautification plan; completion of a cost benefit analysis for relocation or buffering the industrial uses and identification of funding; work with Downtown Hampton Development Partnership on downtown improvements; and developing, funding, and implementing a marketing program for the neighborhood, a copy of which is attached hereto, and made a part hereof.

In response to a question by Commissioner Heath, Ms. Kennedy, Director of the Neighborhood Office stated one of the primary differences between the two plans is that the Pasture Point neighborhood is not geared towards first time homebuyers. Generally, a large historic home in need of a lot of renovations is a poor choice for first time homebuyers. This program with the below market second mortgages will have income restrictions. She stated they will be working with financial institutions for first time homebuyers.

In response to a question by Commissioner Gilliland, Ms. Kennedy stated there is no target percentage at this time. She mentioned that this program and the low interest loan program may very likely not be a 2% reduction, but may be a no interest for two years and then go to the market rate. There has been another community that has done this successfully. She stated both communities had a focus group of realtors and investors who have reviewed their program requirements. It would be very important that they look at the programs from the perspective of the dealmaker, and that their motivation is to get the houses rehabilitated, and have enough flexibility in these program that they then cover the gaps. Rather than saying everyone will be a certain percentage, the idea is to get the willing homeowner who wants to rehabilitate, in the door, and then figure out what programs are available to make the deal work. They originally were going to do the dollar amount, but realtors and investors suggested that it be done as a percentage.

In response to a question by Commissioner Gilliland regarding creating incentives for rental property owners to sell their homes, Ms. Kennedy stated this will be listed under other priority strategies. The neighborhood decided to start with those programs that will assist the homeowner, but there are proposals to take similar financial strategies and offer them to investors in order to encourage them to sell their homes.

Commissioner Gilliland suggested providing a premium in order to get the renter to sell their home.

In conclusion of the presentation, Ms. Thomas stated by supporting the plan, the Commission will allow the residents of Pasture Point to maintain their community of gracious old homes and to rehab others to their full potential of grace and charm. This will allow them to welcome new neighbors who will be appointed the advantage of living in a viable community who accept with warmth and dignity the richness of diversity. They value their neighborhood, and like where they live, and she hoped that by approving the plan, the Commission would affirm their pride in living in Pasture Point. She thanked the Commission for listening, and thanked Ms. Kennedy and staff who worked tirelessly with them and brought expertise to this process in putting the plan together.

After discussion, the Commission approved the following resolution.

WHEREAS: The Hampton Planning Commission has before it this day a request to approve the Pasture Point Neighborhood Housing Revitalization Plan; and

WHEREAS: The Hampton Neighborhood Commission and the Hampton City Council approved the Pasture Point neighborhood as a pilot area under the new Hampton Housing Venture; and

WHEREAS: The Hampton Housing Venture geographically concentrates new and expanded housing incentives with the goal of significantly increasing housing reinvestment in a few selected neighborhoods; and

WHEREAS: The purpose of the Pasture Point Neighborhood Housing Revitalization Plan is to develop strategies to revitalize the housing stock in the Pasture Point neighborhood; and

WHEREAS: The Pasture Point Neighborhood Housing Revitalization Plan includes strategies for housing rehabilitation and homeownership, historic designations, beautification, redevelop, increased code enforcement, downtown improvements and marketing of the neighborhood; and

WHEREAS: On a motion by Commissioner Randy Gilliland and seconded by Commissioner Katherine K. Glass,

BE IT THEREFORE RESOLVED THAT the Hampton Planning Commission recommends to the honorable City Council approval of the Pasture Point Neighborhood Housing Revitalization Plan.

A roll call vote on the motion resulted as follows:

AYES: Smith, Johns, Pilgrim, Glass, Wallace, Gilliland, Heath
NAYS: None
ABST: None
ABSENT: None

ITEM VI. ZONING ORDINANCE AMENDMENT

Chairman Heath read the description of the next agenda item.

Zoning Ordinance Amendment by the City of Hampton to amend and re-enact Chapters 2 (“Definitions” Sec.2-56) and 19 (“Vehicle Parking and Loading Spaces” Sec.19-1) of the Zoning Ordinance to change the size of required off-street parking spaces.

Ms. Caroline Butler, Chief Planner, presented the staff report on the subject amendment, a copy of which is attached hereto, and made a copy hereof. She stated the Planning Department and Zoning Administrator recommend approval of this proposed Zoning Ordinance amendment because it will make Hampton’s parking size standards consistent with those of other localities in the region and because it will reduce the number of variances requested from the parking regulations.

After discussion, the Commission approved the following resolution.

WHEREAS: The Hampton Planning Commission has before it this day a proposal to amend and re-enact the Zoning Ordinance of the City of Hampton relative to required parking size standards; and

WHEREAS: Chapter 2 (Sec. 2-56 “Definitions”) of the Zoning Ordinance requires vehicle parking spaces a minimum of nine (9) feet wide and nineteen (19) feet deep; and

WHEREAS: The Board of Zoning Appeals has received numerous requests to reduce the required depth of vehicle parking spaces to eighteen (18) feet to accommodate compact vehicles; and

WHEREAS: All other urban Hampton Roads localities require a vehicle parking space depth of eighteen (18) feet; and

WHEREAS: Chapter 19 (Sec. 19-1 “Vehicle Parking Spaces”) of the Zoning Ordinance permits the depth of angled parking spaces to be reduced by one foot (from nineteen (19) to eighteen (18) feet) if they abut a green area, median or walkway; and

WHEREAS: If the depth of required parking spaces is reduced, then the angled depth requirement should also be reduced (from eighteen (18) to seventeen (17) feet); and

WHEREAS: Reducing the depth of required parking spaces will make Hampton's standards consistent with other localities in the region and will decrease the number of variance requests; and

WHEREAS: No one from the public spoke on this matter, and staff has not received any comments relative to this proposed amendment; and

WHEREAS: On a motion by Commissioner Harold O. Johns and seconded by Commissioner Katherine K. Glass,

BE IT THEREFORE RESOLVED THAT the Hampton Planning Commission recommends to the honorable City Council approval of this proposal to amend and re-enact Chapter 2 ("Definitions") and Chapter 19 ("Vehicle Parking and Loading Spaces") of the Hampton Zoning Ordinance.

A roll call vote on the motion resulted as follows:

AYES:	Smith, Johns, Pilgrim, Glass, Wallace, Gilliland, Heath
NAYS:	None
ABST:	None
ABSENT:	None

ITEM VII. REZONING APPLICATION NO. 1160

Chairman Heath read the description of the next agenda item.

Rezoning Application No. 1160 by Robert Thornton to rezone a 0.76± acre parcel located at 4 N. Mallory St. from Two Family Residential (R-8) to Limited Commercial (C-2) for a general retail store. The property is located at the southeast corner of the intersection of Mallory St. and County St, fronting 174.99'± on the south side of Mallory and 194.52± on the east side of County.

Mr. Robert Thornton, 3752 Little Neck Point, Virginia Beach, applicant for the proposed request, stated the property is located at the southeast corner of the intersection of Mallory and County Street. The front portion of the property is zoned commercial (C-2) and the rear portion is zoned residential (R-8). It is a vacant piece of property that was the former Fuller's Restaurant site which has been vacant for several years. He stated if the rezoning is approved, he plans to construct an 8,000 square foot retail store, Family Dollar. He anticipates completing the building by Labor Day of 2003. He stated in working with staff and reviewing the recommendation from the staff report, he asked the Commission to consider several points. He stated the proposed Family Dollar Store is consistent with the existing tenants and owners in the immediate area, and he believes would be a major improvement to some of the other older buildings in Phoebus. He stated the 2010 Comprehensive Plan recommends commercial versus

residential zoning. The 1998 Strategic Plan emphasizes that Hampton concentrate on redevelopment to establish a healthy business client, which will show by full-time jobs, increase payroll, and increase in real estate taxes. He found one aspect in the Phoebus Improvement Plan which is to strengthen retail sales. He discussed the proposed project with the three organizations in Phoebus (i.e., Phoebus Civic Association, Phoebus Improvement League; and Phoebus Neighborhood Cooperative). He stated he has not physically met with the organizations, but he plans to do so at their next meetings. He stated two of the three organizations are not opposed to the use as long as they have input on the design of the building. During the application process, he was asked to consider proffers. Since the site plan that was designed seems to satisfy city code, he did not see any problems. He stated the only other proffer would be the architectural design of the building. He stated in speaking with city staff, he asked specifically that if he had proffered an architectural element to application, would it in anyway sway staff. He stated the answer he received is no, because this is a land use issue not an architectural review issue. He realizes that the proposed project does not satisfy the long-range plan, but it does satisfy a community need, in that it would add retail sales, payroll, and substantial tax base to an area that is in need of help. The project will present \$1.5 million a year in retail sales; a \$650,000 building value; and approximately \$200,000 in payroll. He asked the Commission to favor the rezoning based on current physical and economic needs, not based on a conceptual plan, which on this day, he did not see as appropriate, and that the three organizations that oversee the Phoebus area come to a conclusion on an appropriate building design. He stated he is a Hampton native, and his family owns a shopping center in Aberdeen and Briarfield. He stated several years ago, they re-built two vacant stores into a Family Dollar which has improved the economic viability of that intersection, and he believes this project would do the same thing for Phoebus. He is more than willing to work with the Phoebus organizations to see that the building does satisfy neighborhood standards. He stated an issue is whether the Phoebus plan sees this site as appropriate for redevelopment or whether the proposed project should be viewed from a larger perspective, and not just a plan that is in place.

Ms. Stephanie Mertig, City Planner, presented the staff report on the subject amendment, a copy of which is attached hereto, and made a copy hereof. She stated the Planning Department recommends that the Planning Commission deny this rezoning application because the request is not in accordance with the 2010 Comprehensive Plan, the Phoebus Business District Master Land Use and Development Plan and other public policy documents, and it is not compatible with the surrounding neighborhood and land uses.

After discussion, the Commission approved the following resolution:

WHEREAS: The Hampton Planning Commission has before it this day a request by Robert Thornton to rezone 0.76± acres located at 4 North Mallory Street from Two-Family Residence District (R-8) to Limited Commercial District (C-2) for the construction and operation of a Family Dollar store; and

WHEREAS: The property, formerly Fuller's Hotel and Restaurant, is currently vacant and is a gateway into the Phoebus community; and

WHEREAS: The 2010 Comprehensive Plan recognizes Phoebus as a distinct community and encourages the preservation of its architectural character; and

WHEREAS: The 2010 Comprehensive Plan and the Phoebus Master Plan recommend such uses as specialty retail, personal services and eating and drinking establishments for this core commercial corridor, and specifically recommend that commercial rezonings occur to support the development of a specialty retail district; and

WHEREAS: Large amounts of public investment have gone into the revitalization efforts in Phoebus, to include such investments as the streetscape improvements and the New American Theater; and

WHEREAS: The applicant has not proffered any conditions that would limit the uses or control the design, landscaping, or architecture of the building; and

WHEREAS: In response to a question regarding the notification of affected community members, Mr. Thornton replied that he had not met with community groups but that two of the three groups supported his request. Staff commented that mixed responses have been received regarding the proposal.

NOW, THEREFORE, on a motion by Commissioner Randy Gilliland and seconded by Commissioner Perry T. Pilgrim,

BE IT RESOLVED that the Planning Commission finds the proposed rezoning to be inconsistent with public policy documents and recommendations and respectfully recommends to the Honorable City Council that Rezoning Application No. 1160 be denied.

A roll call vote on the motion resulted as follows:

AYES:	Smith, Johns, Pilgrim, Glass, Wallace, Gilliland, Heath
NAYS:	None
ABST:	None
ABSENT:	None

ITEM VII. PLANNING DIRECTOR'S REPORT

There were no items by the Director.

ITEM IX. ITEMS BY THE PUBLIC

There were no items by the public.

ITEM X. MATTERS BY THE COMMISSION

There were no matters by the Commission.

ITEM XI. ADJOURMENT

There being no additional items to come before the Commission, the meeting adjourned at 5:00 p.m.

Respectfully submitted,

Terry P. O'Neill
Secretary to Commission

APPROVED BY:

Ralph A. Heath, III
Chairman